

DEPARTMENT OF THE INTERIOR  
Freedom of Information Act 2017 Annual Report  
(October 1, 2016 – September 30, 2017)

**I. BASIC INFORMATION REGARDING REPORT**

1. Questions about this Report should be directed to:

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Office of the Executive Secretariat and Regulatory Affairs (OS/OES)  
Department of the Interior (DOI)  
1849 C. ST., NW  
Washington, D.C. 20240  
202-208-5342 (p)

2. The electronic address for this Report on DOI's FOIA website is:

<https://www.doi.gov/foia/DOI-FOIA-Annual-Reports>

3. A copy of this Report in paper form may be obtained by contacting the Departmental FOIA Officer (see above).

## **II. MAKING A FOIA REQUEST**

1. FOIA requests should be submitted to the FOIA contact at the bureau/office where the records are maintained (see DOI's FOIA contacts page at <https://www.doi.gov/foia/contacts>, which provides the names, addresses, and telephone numbers of all individual agency components that receive FOIA requests). A list of DOI's bureaus/offices is located in the Acronyms, Definitions, and Exemptions section below.

2. DOI protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities. When DOI withholds records requested under the FOIA, it most frequently does so under Exemption 5 (which safeguards inter-agency or intra-agency records which would normally be privileged in the civil discovery context), Exemption 6 (which safeguards personal privacy interests), and Exemption 7(C) (which safeguards personal information in law enforcement records). However, DOI's diverse mission and records ensures a wide variety of FOIA exemptions may sometimes be appropriately used.

3. The electronic address for DOI's FOIA regulations is: <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=0fc3ab3499768eebc2e3691c8cf88dec&rqn=div5&view=text&node=43:1.1.1.1.2&idno=43>. The electronic address for DOI's fee schedule is: <https://www.doi.gov/foia/fees-waivers>.

### III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

#### 1. Definitions of terms used in this Report:

a. **Administrative Appeal**—a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.

b. **Average Number**—the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.

c. **Backlog**—the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.

d. **Component**—for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.

e. **Consultation**—the procedure whereby the agency responding to a FOIA request first forwards a record to another agency or component within the same agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency or component within the same agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.

f. **Exemption 3 Statute**—a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.

g. **FOIA Request**—a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report. Additionally, a FOIA request includes records referred to

the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

h. **Full Grant**—an agency decision to disclose all records in full in response to a FOIA request.

i. **Full Denial**—an agency decision not to release any records in response to a FOIA request because the records are exempt in their entireties under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.

j. **Median Number**—the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

k. **Multi-Track Processing**—a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.

i. **Expedited Processing**—an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.

ii. **Simple Request**—a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.

iii. **Complex Request**—a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.

l. **Partial Grant/Partial Denial**—in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.

m. **Pending Request or Pending Administrative Appeal**—a request or administrative appeal for which an agency has not taken final action in all respects.

n. **Perfect Request**—a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.

o. **Processed Request or Processed Administrative Appeal**—a request or administrative appeal for which an agency has taken final action in all respects.

p. **Range in Number of Days**—the lowest and highest number of days to process requests or administrative appeals.

q. **Time Limits**—the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).

2. Descriptions of the nine FOIA exemptions:

a. **Exemption 1**: classified national defense and foreign relations information

b. **Exemption 2**: information that is related solely to the internal personnel rules and practices of an agency

c. **Exemption 3**: information that is prohibited from disclosure by another federal law

d. **Exemption 4**: trade secrets and other confidential business information

e. **Exemption 5**: inter-agency or intra-agency communications that are protected by legal privileges

f. **Exemption 6**: information involving matters of personal privacy

g. **Exemption 7**: records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual

h. **Exemption 8:** information relating to the supervision of financial institutions

i. **Exemption 9:** geological information on wells

### 3. Agency Component Abbreviations

Component Abbreviation	Component Name
BIA	Bureau Of Indian Affairs
BLM	Bureau of Land Management
BOEM	Bureau of Ocean Energy Management
BOR	Bureau of Reclamation
BSEE	Bureau of Safety and Environmental Enforcement
FWS	U.S. Fish and Wildlife Service
NPS	National Park Service
OIG	Office of Inspector General
OS	Office of the Secretary
OSMRE	Office of Surface Mining Reclamation and Enforcement
SOL	Office of the Solicitor
USGS	U.S. Geological Survey
FOIA/PA Appeals	FOIA/Privacy Act Appeals Office

#### IV. EXEMPTION 3 STATUTES

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
5 U.S.C. app. § 107(a) (Ethics in Government Act of 1978)	Financial disclosure information pertaining to certain government employees	Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012); Concepcion v. FBI, 606 F. Supp. 2d 14, 33 (D.D.C. 2009), renewed motion for summary judgment granted in part on other grounds, 699 F. Supp. 2d 106 (D.D.C. 2010); Glascoe v. DOJ, No. 04-0486, 2005 WL 1139269, at *1 (D.D.C. May 15, 2005).	USGS	1	1
26 U.S.C. §§ 6103, 6105 (Internal Revenue Code)	Certain tax return information, to include Taxpayer Identification Numbers of third parties, and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987); Leonard v. U.S. Dep't of Treasury, 590 F. App'x. 141, 143-44 (3d Cir. 2014) (per curiam); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002) (26 U.S.C. § 6105).	OS	1	1
16 U.S.C. § 5937 (currently at 54 U.S.C. § 100707) (National	Information pertaining to: "endangered, threatened, rare, or commercially valuable" National Park System resources"mineral or	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL	FWS	2	14

Parks Omnibus Management Act)	paleontological objects within units of the National Park System"or "objects of cultural patrimony within units of the National Park System"	1900562 (D.C. Cir. Aug. 25, 2004); Sw. Ctr. for Biological Diversity v. USDA, 170 F. Supp. 2d 931, 945 (D. Ariz. 2000), aff'd, 314 F.3d 1060, 1062 (9th Cir. 2002); Pease v. U.S. Dep't of Interior, No. 1:99CV113, slip op. at 2, 4 (D. Vt. Sept. 17, 1999).			
			NPS	9	
			USGS	3	
25 U.S.C. § 2103(c) (Indian Mineral Development Act of 1982)	Information related to decisions to grant/disapprove minerals agreements for Indian tribes	Jicarilla Apache v. U.S., 60 Fed. Cl. 611, 613-14 (2004) (dictum) (overturned on other grounds by U.S. v. Jicarilla Apache Nation, 131 S. Ct. 2313 (2011)).	OS	6	6
16 U.S.C. § 470hh (Archaeological Resources Protection Act of 1979)	Information pertaining to the nature and location of certain archaeological resources	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BIA	8	36
			BLM	22	
			FWS	3	
			NPS	3	
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	OIG	3	3



16 U.S.C. § 4304(a) (Federal Cave Protection Act of 1988)	Specific location of significant caves	N/A	NPS	1	1
54 U.S.C. § 307103 (National Historic Preservation Act Amendments)	Information about the location, character or ownership of a historic resource	Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 32-33 (D.D.C. 2003) (dictum), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BIA	1	9
			BLM	2	
			BOEM	2	
			BSEE	1	
			FWS	2	
			NPS	1	
5 U.S.C. § 574(j)	Dispute resolution communications	N/A	OS	1	1
41 U.S.C. § 253b(m)(1) (currently at 41 U.S.C. § 4702)	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Margolin v. NASA, No. 09-CV-00421, 2011 WL 1303221, at *6 (D. Nev. Mar. 31, 2011); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BLM	3	18
			BOR	3	
			NPS	6	
			OS	4	
			USGS	2	

41 U.S.C. § 2102(a) (amending 41 U.S.C. 423(a)(1))	Contractor bid or proposal information; source selection information	Legal & Safety Employer Research, Inc. v. U.S. Dep't of the Army, No. Civ. S001748, 2001 WL 34098652, at *3-4 (E.D. Cal. May 4, 2001) (dictum).	BOR	1	3
			OS	1	
			USGS	1	

**V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS**

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
BIA	211	1,854	1,773	292
BLM	194	1,024	750	468
BOEM	17	170	165	22
BOR	17	315	297	35
BSEE	32	228	233	27
FWS	212	1,146	1,000	358
NPS	189	1,226	1,076	339
OIG	26	218	207	37
OS	62	1,226	713	575
OSMRE	26	143	95	74
SOL	19	250	207	62
USGS	41	205	217	29
AGENCY OVERALL	1,046	8,005	6,733	2,318

*BLM, FWS, NPS, and OSMRE made entries in FY 17 that resulted in minor adjustments to the number of requests they had pending at the start of the fiscal year.*

# **V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS**

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
BIA	736	490	79	255	12	49	54	21	25	3	18	31	1,773
BLM	224	238	12	104	4	56	20	12	7	3	29	41	750
BOEM	74	23	0	46	2	2	1	7	2	0	0	8	165
BOR	127	40	7	70	4	12	4	6	7	0	2	18	297
BSEE	71	44	1	88	3	6	1	4	2	1	1	11	233
FWS	458	244	36	114	10	55	13	13	12	0	20	25	1,000
NPS	381	380	34	134	6	34	19	22	16	3	25	22	1,076
OIG	29	84	19	64	5	2	0	0	2	0	0	2	207
OS	214	64	4	79	6	23	22	22	5	12	12	250	713
OSMRE	25	5	0	51	1	5	1	1	2	0	2	2	95
SOL	72	27	6	80	3	2	2	2	5	0	2	6	207
USGS	71	55	42	6	1	16	6	7	0	0	1	12	217
AGENCY OVERALL	2,482	1,694	240	1,091	57	262	143	117	85	22	112	428	6,733

**V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS  
BASED ON REASONS OTHER THAN EXEMPTIONS"**

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
BIA	Request Opened in Error	17	31
	Directed Requester to Publicly Available Information	4	
	Directed Requester to Another Entity Subject to the FOIA	7	
	Unable to Locate Requester	3	
BLM	Request Opened in Error	16	41
	Directed Requester to Publicly Available Information	14	
	Directed Requester to Another Entity Subject to the FOIA	4	
	Unable to Locate Requester	5	
	Court Sealed	2	
BOEM	Request Opened in Error	4	8
	Directed Requester to Publicly Available Information	2	
	Directed Requester to Another Entity Subject to the FOIA	2	
BOR	Request Opened in Error	9	18
	Directed Requester to Publicly Available Information	4	
	Directed Requester to Another Entity Subject to the FOIA	5	
BSEE	Request Opened in Error	1	11
	Directed Requester to Publicly Available Information	2	
	Directed Requester to Another Entity Subject to the FOIA	8	
FWS	Request Opened in Error	4	25
	Directed Requester to Publicly Available Information	3	
	Directed Requester to Another Entity Subject to the FOIA	4	
	Unable to Locate Requester	14	
NPS	Request Opened in Error	8	22
	Directed Requester to Publicly Available Information	9	
	Unable to Locate Requester	5	
OIG	Request Opened in Error	1	2
	Directed Requester to Another Entity Subject to the FOIA	1	
OS	Request Opened in Error	33	250
	Directed Requester to Publicly Available Information	115	
	Directed Requester to Another Entity Subject to the FOIA	102	
OSMRE	Request Opened in Error	1	2

	Directed Requester to Another Entity Subject to the FOIA	1	
SOL	Directed Requester to Another Entity Subject to the FOIA	6	6
USGS	Request Opened in Error	2	12
	Directed Requester to Publicly Available Information	4	
	Directed Requester to Another Entity Subject to the FOIA	6	
AGENCY OVERALL			428

**V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED**

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
BIA	0	1	9	64	61	427	71	0	211	0	2	2	0	1
BLM	0	7	27	27	114	164	19	0	35	1	7	12	0	2
BOEM	0	0	2	6	14	10	0	0	0	0	0	0	0	0
BOR	0	4	3	9	18	21	0	0	2	0	0	3	0	0
BSEE	0	0	1	6	23	37	1	0	3	0	0	0	0	2
FWS	0	0	4	28	117	187	23	0	78	12	20	3	0	0
NPS	0	6	19	16	88	314	33	0	144	0	6	9	0	0
OIG	0	2	3	2	1	29	13	0	84	1	3	0	0	1
OS	0	0	13	15	36	55	2	0	9	0	5	0	0	0
OSMRE	0	0	0	2	3	3	0	0	0	0	0	0	0	2
SOL	0	0	0	1	31	5	0	0	0	0	0	0	0	0
USGS	0	0	6	5	26	28	0	0	9	0	0	0	0	0
AGENCY OVERALL	0	20	87	181	532	1,280	162	0	575	14	43	29	0	8

**VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS --  
RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS**

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
FOIA/PA Appeals	336	202	115	423
OIG	4	2	6	0
AGENCY OVERALL	340	204	121	423

*FOIA/PA Appeals and OIG made entries in FY 17 that resulted in minor adjustments to the number of appeals they had pending at the start of the fiscal year.*

*Due to a regulatory change, OIG began processing appeals arising from its own FOIA responses partway through the FY 16, including new appeals and existing appeals referred to OIG by FOIA/PA Appeals.*



**VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS**

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
FOIA/PA Appeals	7	1	58	49	115
OIG	0	1	2	3	6
AGENCY OVERALL	7	2	60	52	121

**VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED**

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FOIA/PA Appeals	0	0	0	2	4	1	0	0	2	0	1	0	0	0
OIG	0	0	0	0	0	1	0	0	1	0	0	0	0	0
AGENCY OVERALL	0	0	0	2	4	2	0	0	3	0	1	0	0	0

## VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee- Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
FOIA/PA Appeals	2	0	1	1	0	0	0	6	12	2	25
OIG	0	0	0	0	0	0	0	0	0	0	3
AGENCY OVERALL	2	0	1	1	0	0	0	6	12	2	28

### VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
FOIA/PA Appeals	Agency conducted adequate search	6	25
	Moot	12	
	Improper appeal	1	
	Bureau failed to timely respond	5	
	Unable to locate appellant	1	
OIG	Unable to locate appellant	3	3
AGENCY OVERALL			28

**VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS**

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
FOIA/PA Appeals	303.00	391.00	1.00	1,771.00
OIG	752.00	570.00	3.00	1,042.00
AGENCY OVERALL	528.00	481.00	1.00	1,771.00

# **VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS**

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
FOIA/PA Appeals	Date of Appeal	2012-06-07	2012-06-04	2012-05-07	2012-04-30	2012-01-19	2011-11-14	2011-11-07	2011-11-01	2011-10-26	2011-08-05
	Number of Days Pending	1336	1339	1358	1363	1434	1478	1482	1482	1490	1546
OIG	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date of Appeal	2012-06-07	2012-06-04	2012-05-07	2012-04-30	2012-01-19	2011-11-14	2011-11-07	2011-11-01	2011-10-26	2011-08-05
	Number of Days Pending	1336	1339	1358	1363	1434	1478	1482	1482	1490	1546

## VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BIA	2	3	<1	35	15	30	<1	1032	67	70	12	286
BLM	5	14	<1	91	24	52	<1	1105	15	15	15	15
BOEM	5	6	<1	10	9	72	<1	1119	N/A	N/A	N/A	N/A
BOR	3	3	<1	19	16	22	<1	242	24	24	24	24
BSEE	1	2	<1	5	11	46	1	1339	9	9	9	9
FWS	2	6	<1	45	24	67	<1	970	3	8	<1	37
NPS	5	12	<1	78	22	45	<1	545	41	52	1	428
OIG	8	11	<1	62	55	78	<1	502	N/A	N/A	N/A	N/A
OS	4	12	<1	82	15	38	<1	569	2	37	<1	143
OSMRE	N/A	N/A	N/A	N/A	20	43	<1	395	N/A	N/A	N/A	N/A
SOL	5	130	2	384	15	37	<1	708	3	5	3	9
USGS	99	1	<1	3	21	52	<1	693	N/A	N/A	N/A	N/A
AGENCY OVERALL	3	8	<1	384	19	45	<1	1339	37	45	<1	428

## VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BIA	2	2	<1	28	14	32	<1	1032	67	74	12	286
BLM	5	22	<1	91	29	60	<1	1105	15	15	15	15
BOEM	5	6	<1	10	15	109	<1	1119	N/A	N/A	N/A	N/A
BOR	3	3	<1	19	17	24	<1	242	N/A	N/A	N/A	N/A
BSEE	N/A	N/A	N/A	N/A	22	70	1	1339	N/A	N/A	N/A	N/A
FWS	3	8	<1	45	26	72	<1	970	3	8	<1	37
NPS	6	13	<1	78	25	49	<1	545	41	54	5	428
OIG	9	14	1	62	66	91	2	502	N/A	N/A	N/A	N/A
OS	4	12	<1	82	20	45	<1	569	2	37	<1	143
OSMRE	N/A	N/A	N/A	N/A	28	72	1	395	N/A	N/A	N/A	N/A
SOL	5	5	5	5	22	47	<1	708	N/A	N/A	N/A	N/A
USGS	1	1	<1	3	28	64	<1	693	N/A	N/A	N/A	N/A
AGENCY OVERALL	3	7	<1	91	20	52	<1	1339	39	51	<1	428



### VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BIA	159	2	0	0	0	0	0	0	0	0	0	0	0	161
BLM	19	0	0	0	2	0	0	0	0	0	0	0	0	21
BOEM	18	0	0	0	0	0	0	0	0	0	0	0	0	18
BOR	51	0	0	0	0	0	0	0	0	0	0	0	0	51
BSEE	4	0	0	0	0	0	0	0	0	0	0	0	0	4
FWS	36	3	1	0	0	0	0	0	0	0	0	0	0	40
NPS	67	13	3	2	0	0	0	0	0	0	0	0	0	85
OIG	76	6	1	2	0	0	0	0	0	0	0	0	0	85
OS	15	4	0	0	1	0	0	0	0	0	0	0	0	20
OSMRE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SOL	2	0	0	0	0	0	0	0	0	0	0	1	0	3
USGS	20	0	0	0	0	0	0	0	0	0	0	0	0	20
AGENCY OVERALL	467	28	5	4	3	0	0	0	0	0	0	1	0	508

# **VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BIA	970	233	74	31	13	13	8	10	7	3	22	8	9	1,401
BLM	256	112	49	42	22	19	8	11	5	11	18	3	4	560
BOEM	89	10	8	1	2	0	3	0	1	0	0	4	9	127
BOR	132	50	7	2	0	0	1	0	2	1	1	0	0	196
BSEE	137	18	15	9	6	4	3	1	0	1	2	1	5	202
FWS	365	159	73	53	41	22	12	9	14	0	23	14	28	813
NPS	374	178	108	39	24	15	15	12	4	8	20	9	4	810
OIG	36	18	9	16	7	8	3	4	3	0	8	2	2	116
OS	199	52	34	20	6	1	8	6	3	3	7	2	2	343
OSMRE	44	16	7	6	3	1	0	0	1	0	2	2	0	82
SOL	101	49	10	7	3	2	0	1	2	0	3	2	2	182
USGS	76	28	15	8	4	7	2	3	2	1	5	2	2	155
AGENCY OVERALL	2,779	923	409	234	131	92	63	57	44	28	111	49	67	4,987

# VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BIA	3	1	0	5	0	0	0	0	0	0	1	0	0	10
BLM	1	0	0	0	0	0	0	0	0	0	0	0	0	1
BOEM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BOR	0	1	0	0	0	0	0	0	0	0	0	0	0	1
BSEE	1	0	0	0	0	0	0	0	0	0	0	0	0	1
FWS	6	1	0	0	0	0	0	0	0	0	0	0	0	7
NPS	7	13	16	2	0	0	0	1	0	0	0	0	1	40
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OS	3	0	0	0	0	0	0	1	0	0	0	0	0	4
OSMRE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SOL	3	0	0	0	0	0	0	0	0	0	0	0	0	3
USGS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	24	16	16	7	0	0	0	2	0	0	1	0	1	67

## VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
BIA	3	3	3	256	65	130	2	374	374
BLM	0	N/A	N/A	444	106	163	2	3	3
BOEM	0	N/A	N/A	19	101	142	0	N/A	N/A
BOR	0	N/A	N/A	26	31	107	0	N/A	N/A
BSEE	0	N/A	N/A	26	39	158	0	N/A	N/A
FWS	0	N/A	N/A	328	69	116	1	41	41
NPS	4	17	18	291	57	117	9	23	40
OIG	1	17	17	31	51	83	0	N/A	N/A
OS	2	13	13	509	49	62	19	24	37
OSMRE	0	N/A	N/A	74	101	159	0	N/A	N/A
SOL	0	N/A	N/A	59	79	127	1	52	52
USGS	0	N/A	N/A	26	60	145	0	N/A	N/A
AGENCY OVERALL	10	8	12	2089	64	117	34	25	56

## VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BIA	Date of Receipt	2015-12-22	2015-11-16	2015-10-05	2015-09-21	2015-08-20	2015-06-04	2015-06-01	2015-04-24	2015-03-05	2014-10-10
	Number of Days Pending	446	471	499	509	530	584	587	612	648	744
BLM	Date of Receipt	2014-09-04	2014-09-04	2014-06-12	2014-06-03	2014-05-28	2014-05-05	2014-05-02	2014-02-25	2014-02-03	2013-11-19
	Number of Days Pending	770	770	828	835	839	855	856	904	919	969
BOEM	Date of Receipt	2017-05-08	2017-04-07	2017-04-07	2017-02-28	2017-02-01	2016-12-13	2016-10-05	2016-08-17	2015-11-10	2015-08-06
	Number of Days Pending	101	122	122	150	168	201	247	281	474	540
BOR	Date of Receipt	2017-05-15	2017-04-28	2017-04-07	2017-03-01	2017-02-23	2016-12-09	2016-10-12	2016-09-16	2015-12-03	2015-01-27
	Number of Days Pending	96	107	122	149	153	203	243	260	459	674
BSEE	Date of Receipt	2017-05-09	2017-05-02	2017-04-10	2016-03-08	2016-02-25	2015-11-17	2015-11-17	2015-10-15	2015-07-28	2015-03-20
	Number of Days Pending	100	105	121	395	403	470	470	492	547	637
FWS	Date of Receipt	2016-01-07	2016-01-05	2015-10-27	2015-10-01	2015-08-18	2015-05-04	2015-04-29	2015-04-27	2015-02-20	2014-07-08
	Number of Days Pending	436	438	484	501	532	606	609	611	657	811
NPS	Date of Receipt	2015-05-26	2015-05-26	2015-05-18	2015-05-11	2015-03-31	2015-02-20	2014-12-09	2014-10-23	2014-08-21	2014-08-07
	Number of Days Pending	591	591	596	601	630	657	705	736	779	789
OIG	Date of Receipt	2017-06-08	2017-03-13	2017-03-07	2017-02-20	2017-01-03	2016-12-23	2016-11-05	2016-09-20	2016-09-06	2016-08-02
	Number of Days Pending	79	141	145	156	188	193	225	258	268	292
OS	Date of Receipt	2016-12-14	2016-12-09	2016-11-09	2016-11-08	2016-11-08	2016-09-16	2016-08-31	2016-01-19	2015-12-14	2015-06-08

	Number of Days Pending	200	203	223	224	224	260	271	429	452	582
OSMRE	Date of Receipt	2016-05-17	2016-04-10	2016-03-27	2016-02-16	2015-10-15	2015-07-01	2015-05-20	2015-04-16	2015-03-27	2014-08-25
	Number of Days Pending	345	371	381	410	492	565	594	618	632	777
SOL	Date of Receipt	2016-11-21	2016-11-02	2016-10-31	2016-08-11	2016-07-22	2016-07-21	2016-07-20	2014-10-21	2014-08-01	2014-04-11
	Number of Days Pending	216	228	230	285	299	300	301	738	793	871
USGS	Date of Receipt	2017-01-20	2017-01-10	2016-10-28	2016-10-25	2016-09-22	2016-04-21	2016-04-13	2016-01-27	2015-11-18	2015-11-13
	Number of Days Pending	176	183	231	234	256	363	369	423	469	472
AGENCY OVERALL	Date of Receipt	2014-07-08	2014-06-12	2014-06-03	2014-05-28	2014-05-05	2014-05-02	2014-04-11	2014-02-25	2014-02-03	2013-11-19
	Number of Days Pending	811	828	835	839	855	856	871	904	919	969

## VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
BIA	10	18	2	5	20
BLM	1	11	3	4	11
BOEM	0	3	1	3	3
BOR	1	2	8	125	2
BSEE	1	3	4	3	4
FWS	7	14	1	4	20
NPS	43	7	1	1	50
OIG	0	3	1	1	3
OS	7	8	1	1	15
OSMRE	0	0	N/A	N/A	0
SOL	3	0	1	1	3
USGS	0	6	1	1	6
AGENCY OVERALL	73	75	1	5	137

## VIII.B. REQUESTS FOR FEE WAIVER

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
BIA	23	9	0	8
BLM	136	6	1	7
BOEM	9	2	3	5
BOR	15	27	0	2
BSEE	9	0	0	7
FWS	178	4	1	140
NPS	62	5	0	3
OIG	8	0	0	0
OS	11	4	0	13
OSMRE	7	0	0	4
SOL	12	1	0	1
USGS	78	0	0	1
AGENCY OVERALL	548	58	0	45



## IX. FOIA PERSONNEL AND COSTS

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
BIA	5	26.43	31.43	\$2,253,566.28	\$11,424.66	\$2,264,990.94
BLM	18	4.5	22.5	\$2,842,136.01	\$269,838.71	\$3,111,974.72
BOEM	1	5.8	6.8	\$627,154.40	\$9,708.00	\$636,862.40
BOR	1	6.15	7.15	\$650,973.90	\$2,791.20	\$653,765.10
BSEE	4	3.1	7.1	\$597,122.60	\$50,466.00	\$647,588.60
FWS	9	20.95	29.95	\$2,521,869.28	\$26,613.80	\$2,548,483.08
NPS	3	5.35	8.35	\$614,543.00	\$224,502.00	\$839,045.00
OIG	3	0	3	\$318,619.85	\$8,600.00	\$327,219.85
OS	9	0.5	9.5	\$1,889,000.00	\$21,178.00	\$1,910,178.00
OSMRE	1	1.73	2.73	\$174,125.09	\$90,316.43	\$264,441.52
SOL	2	0	2	\$310,477.23	\$28,288.15	\$338,765.38
USGS	5	0.5	5.5	\$543,176.57	\$38,030.00	\$581,206.57
FOIA/PA Appeals	2	0.5	2.5	\$500,000.00	\$15,000.00	\$515,000.00
AGENCY OVERALL	63	75.51	138.51	\$13,842,764.21	\$796,756.95	\$14,639,521.16

*NPS Processing Costs are noticeably higher than some past years. Some Processing Costs had been inadvertently excluded in past years.*

*SOL Processing Costs are noticeably lower than some past years. Some Processing Costs had inadvertently been included by both SOL and other bureaus in past years.*



## X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BIA	\$28,214.68	1.25%
BLM	\$12,250.95	0.43%
BOEM	\$9,481.55	1.51%
BOR	\$1,060.25	0.16%
BSEE	\$2,648.00	0.44%
FWS	\$9,306.26	0.37%
NPS	\$4,244.05	0.69%
OIG	\$0.00	0.00%
OS	\$5,166.93	0.27%
OSMRE	\$0.00	0.00%
SOL	\$471.30	0.15%
USGS	\$2,487.75	0.46%
AGENCY OVERALL	\$75,331.72	0.54%

## XI.A. NUMBER OF TIMES SUBSECTION USED

Agency / Component	Number of Times Subsection Used
BIA	0
BLM	0
BOEM	0
BOR	0
BSEE	0
FWS	0
NPS	0
OIG	0
OS	0
OSMRE	0
SOL	0
USGS	0
AGENCY OVERALL	0

## XI.B. NUMBER OF SUBSECTION POSTINGS

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
BIA	36	100
BLM	4	6,100
BOEM	0	10,800
BOR	2	4,300
BSEE	1	900
FWS	12	2,600
NPS	564	24,000
OIG	53	1
OS	100	100
OSMRE	0	16
SOL	0	0
USGS	0	12,200
AGENCY OVERALL	772	61,117

## XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
BIA	177	N/A
BLM	368	N/A
BOEM	15	N/A
BOR	17	N/A
BSEE	17	N/A
FWS	265	N/A
NPS	253	N/A
OIG	20	0
OS	377	N/A
OSMRE	56	N/A
SOL	43	N/A
USGS	18	N/A
FOIA/PA Appeals	0	409
AGENCY OVERALL	1,626	409

## XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
BIA	0	0	0	0
BLM	0	0	0	0
BOEM	0	6	6	0
BOR	0	3	3	0
BSEE	0	3	3	0
FWS	2	30	32	0
NPS	0	0	0	0
OIG	0	0	0	0
OS	0	42	42	0
OSMRE	0	1	1	0
SOL	0	0	0	0
USGS	1	14	15	0
AGENCY OVERALL	3	99	102	0

*After reviewing their databases, FWS and USGS adjusted the number of consultations that were pending as of the start of the Fiscal Year.*

## XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

[illegible]



[illegible]

**XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
BIA	1,897	1,854	1,883	1,773
BLM	856	1,024	842	750
BOEM	127	170	135	165
BOR	232	315	234	297
BSEE	172	228	183	233
FWS	1,140	1,146	1,181	1,000
NPS	920	1,226	879	1,076
OIG	159	218	153	207
OS	512	1,226	540	713
OSMRE	84	143	76	95
SOL	137	250	155	207
USGS	212	205	200	217
AGENCY OVERALL	6,448	8,005	6,461	6,733

*BIA, BLM, FWS, NPS, OSMRE made entries in FY 17 that resulted in minor adjustments to the number of requests they reported as received last fiscal year. BIA, BLM, BSEE, FWS, NPS, OSMRE, made entries in FY 17 that resulted in minor adjustments to the number of requests they reported as processed last fiscal year.*

**XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS**

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
BIA	105	177
BLM	147	368
BOEM	17	15
BOR	8	17
BSEE	22	17
FWS	152	265
NPS	103	253
OIG	17	20
OS	35	377
OSMRE	19	56
SOL	17	43
USGS	23	18
AGENCY OVERALL	665	1,626

*After reviewing their databases, BIA, BLM, BOR, FWS, NPS, OIG, OS, OSMRE, and USGS adjusted the number of backlogged requests from last year's report.*

**XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FOIA/PA Appeals	189	202	92	115
OIG	6	2	2	6
AGENCY OVERALL	195	204	94	121

*FOIA/PA Appeals and OIG made entries in FY 17 that resulted in minor adjustments to the number of requests they processed last fiscal year and/or received at the start of the fiscal year.*

**XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS**

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
FOIA/PA Appeals	336	409
OIG	4	0
AGENCY OVERALL	340	409

*FOIA/PA Appeals and OIG made entries in FY 17 that resulted in minor adjustments to the number of requests they reported as backlogged last fiscal year.*

